

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

ROBERT DILLOW,

Plaintiff,

v.

**VIRGINIA POLYTECHNIC INSTITUTE
AND STATE UNIVERSITY, et al.,**

Defendants.

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Case No. 7:22cv280

MOTION FOR LEAVE TO FILE BRIEF IN EXCESS OF TWENTY-FIVE PAGES

Defendants Virginia Polytechnic Institute and State University, Shara Pernermon, Steven Schuh, and Rachael Tully, by counsel, hereby request leave to file a brief in support of their Motion to Dismiss Pursuant to Rule 12(b)(6) in excess of twenty-five pages. Defendants' memorandum addresses multiple procedural and substantive hurdles that are dispositive of Plaintiff's claims that must be addressed lest defendants waive the argument. Defendants' brief is just over twenty-six pages exclusive of the signature and certificate of service pages. Given these circumstances and the significance of the issues at stake, defendants submit that good cause exists for permitting defendants to exceed the Court's twenty-five page limit for briefs.

WHEREFORE, defendants respectfully request that the Court enter an Order granting their Motion for Leave to File Brief in Excess of Twenty-Five Pages and granting such further relief as the Court deems just and proper.

Respectfully submitted,

VIRGINIA POLYTECHNIC INSTITUTE AND
STATE UNIVERSITY, SHARA PENERMON,
STEVEN SCHUH, and RACHAEL TULLY

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/s/

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Counsel for Defendants



CERTIFICATE OF SERVICE

I hereby certify that on April 6, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send notification of such filing to all counsel of record.

/s/ Nathan H. Schnetzler
Of Counsel

